

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

JAMES McCONICO, JR., #117395,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:08-CV-189-MEF
	)	
ROBERT ALLEN, et al.,	)	
	)	
Defendants.	)	

**ORDER ON MOTION**

In the document filed on March 19, 2008, the plaintiff seeks appointment of counsel (Court Doc. No. 2 at 7). The court therefore construes this document to contain a motion for appointment of counsel. The facts underlying the plaintiff's claims for relief are relatively simple and the law applicable to such claims is not complex. Moreover, the pleadings filed in this case and numerous other civil actions initiated by the plaintiff establish that McConico is capable of presenting the necessary elements of his claims to this court and fail to demonstrate that there are exceptional circumstances justifying appointment of counsel. *See Kilgo v. Ricks*, 983 F.2d 189, 193 (11<sup>th</sup> Cir. 1993); *see also Fowler v. Jones*, 899 F.2d 1088, 1096 (11<sup>th</sup> Cir. 1990). Accordingly, the interests of justice do not require the appointment of counsel and it is therefore

ORDERED that the motion for appointment of counsel be and is hereby DENIED.

Done this 19<sup>th</sup> day of March, 2008.

/s/ Wallace Capel, Jr.  
WALLACE CAPEL, JR.  
UNITED STATES MAGISTRATE JUDGE